IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.5213 OF 2006.
IN
FIRST APPEAL NO. 776 OF 1991.

Shantilal K. Somaiya & others. ... Applicants.
Versus.
Jehangir Ardeseer Cursetjee
Wadia and others. ... Respondents.

Shri S.U.Kamdar with Pratik Pawar i/by M/s.Shaunak Satpute & Co. for the Applicants.

Shri Ahmed Sayed i/by M/s.Dhru & Co.for the Respondent No.1.

Shri V.A.Thorat, Senior Advocate with Shri R.A.Thorat for Respondent No.15.

Shri A.R.Patil, A.G.P. for Respondents Nos.9 to 11.

CORAM : ABHAY S.OKA, J.

DATED : 17th January, 2007.

P.C.:

1. This Application is filed by some of the Respondents in the First Appeal. The relief which is claimed in this Application is against Respondents Nos.7 to 15 in this Civil Application who are admittedly not the parties to the First Appeal. In this view of the matter, the Application is not maintainable and the same is rejected only on that ground. However, other remedies of the Applicants are kept open. The learned Counsel appearing for the Applicants prays that for a period of two weeks, the parties be directed to maintain status-quo to enable the Applicants to file appropriate legal proceedings. The said relief cannot be granted as the Application itself is not maintainable. It is

obvious that if prayer for interim relief is made by the Applicants in appropriate proceedings, the same will be considered on its own merits without being influenced by the refusal of this Court to grant protection in favour of the Applicants.

Judge.